

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

SAMUEL PABLO-DEJESUS,

Plaintiff,

v.

**COUNTY OF MULTNOMAH, ANGEE
NEWTON, and KAROON SCHEPPMAN,**

Defendants.

Case No. 3:19-cv-01574-SB

ORDER

IMMERGUT, District Judge.

On December 29, 2020, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (F&R), ECF 34, recommending that this Court deny Defendants' Motion for Summary Judgment, ECF 11, on Plaintiff's Fourteenth Amendment failure-to-protect and negligence claims, and grant Defendants' Motion for Summary Judgment on Plaintiff's *Monell* claim. No party filed objections.

DISCUSSION

Under the Federal Magistrates Act ("Act"), as amended, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge."

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge's F&R, "the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act "does not preclude further review by the district judge, *sua sponte*" whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, the Court has reviewed the F&R and accepts Judge Beckerman's conclusions. The F&R, ECF 34, is adopted in full. Defendants' Motion for Summary Judgment, ECF 11, is DENIED with respect to Plaintiff's Fourteenth Amendment failure-to-protect and negligence claims, and GRANTED with respect to Plaintiff's *Monell* claim.

IT IS SO ORDERED.

DATED this 28th day of January, 2021.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge